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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,447	02/04/2002	Paul J. Smith	UTL 00151	7551

7590 02/10/2003

Kyocera Wireless Corp.  
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San Diego, CA 92192-8289

EXAMINER

LEON, EDWIN A

ART UNIT PAPER NUMBER

2833

DATE MAILED: 02/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/067,447

Applicant(s)

SMITH ET AL.

Examiner

Edwin A. León

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment filed November 19, 2002 in which Claims 1, 10, 12, 14, 17, and 21-24 have been amended and Claim 11 has been cancelled, has been placed of record in the file as Paper No. 3.
2. The indicated allowability of claim 11 is withdrawn in view of the newly discovered reference(s) to Bowers (U.S. Patent No. 5,688,093). Rejections based on the newly cited reference(s) follow.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-10 and 12-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Bowers (U.S. Patent No. 5,688,093). With regard to Claim 1, Bowers discloses a recessed fastener adapter device comprising: a board interface (12); and a fastener head engaging surface (inside surface of 22) and wherein the fastener head engaging

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surface (inside surface of 22) engages a fastener head (32,38) and recesses a fastener head (32,38). See Fig. 1.

With regard to Claim 2, Bowers discloses the board interface (12) including a tube (26) with an exterior surface, wherein a flange (28) extends radially outward from the exterior surface, and wherein the flange (28) has an upper surface. See Fig. 1.

With regard to Claim 3, Bowers discloses the fastener head engaging surface (inside surface of 22) including the tube (26) having a closed end (lower part of 22) with a bore (Fig. 1). See Fig. 1.

With regard to Claim 4, Bowers discloses the board interface (12) including a tube (26) with an exterior surface, wherein a flange (28) extends radially outward from the exterior surface, and wherein the flange (28) has a lower surface (surface that is mounted on 18). See Fig. 1.

With regard to Claim 5, Bowers discloses the fastener head engaging surface (inside surface of 22) including the tube (26) having a closed end (lower part of 22) with a bore (Fig. 1). See Fig. 1.

With regard to Claim 6, Bowers discloses the board interface (12) including a tube (26) with an exterior surface; and, wherein the fastener head engaging surface (inside surface of 22) including the tube (26) having a closed end (lower part of 22) with a stepped bore (Fig. 1). See Fig. 1.

With regard to Claim 7, Bowers discloses the tube (26) exterior surface having a protrusion (40). See Fig. 1.

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With regard to Claim 8, Bowers discloses a step in the tube (26) exterior surface forms the protrusion (40). See Fig. 1.

With regard to Claim 9, Bowers discloses the tube (26) exterior surface being grooved (between 28 and 40). See Fig. 1.

With regard to Claim 10, Bowers discloses a system, the system comprising: a PWB (18) having a fastener hole (where 12 is inserted), a top surface, and a bottom surface; and, a recessed fastener adapter (12) including: a board interface (12); and, a fastener head engaging surface (inside surface of 22), and the board interface (12) interfacing with the PWB (18) at the fastener hole (where 12 is inserted); and, wherein the fastener head engaging surface (inside surface of 22) engages a fastener head (32,38) and recesses the fastener head (32,38) at least partially below the PWB (18) top surface. See Fig. 1.

With regard to Claims 12 and 21-24, Bowers discloses the board interface (12) including a tube (22) with an exterior surface, wherein a flange (28) extends radially outward from the exterior surface, wherein the flange (28) has an upper surface. See Fig. 1.

With regard to Claims 13 and 15, Bowers discloses the fastener head engaging surface (inside surface of 22) including the tube (22) having a closed end (lower part of 22) with a bore (Fig. 1). See Fig. 1.

With regard to Claims 14 and 16, Bowers discloses the board interface (12) includes a tube (22) with an exterior surface, wherein a flange (28) extends radially

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outward from the exterior surface, and wherein the flange (28) has a lower surface (surface that is mounted on 18). See Fig. 1.

With regard to Claims 17-18, Bowers discloses the board interface (12) including a tube (22) with an exterior surface; and, wherein the fastener head engaging surface (inside surface of 22) includes the tube (22) having a closed end (lower part of 22) with a stepped bore (Fig. 1). See Fig. 1.

With regard to Claim 19, Bowers discloses the tube (22) exterior surface having a protrusion (40). See Fig. 1.

With regard to Claim 20, Bowers discloses a step in the tube (22) exterior surface forms the protrusion (40). See Fig. 1.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-10 and 12-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Humphrey (U.S. Patent No. 4,721,470), Lin (U.S. Patent No. 6,375,499), Yang (U.S. Patent No. 5,803,766), Kawecky (U.S. Patent No. 4,827,609),

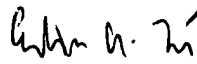
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Pan et al. (U.S. Patent No. 5,616,052), and Takahashi et al. (U.S. Patent No. 6,206,726) disclose devices having adapters and fasteners.

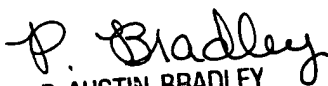
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

  
Edwin A. Leon  
AU 2833

EAL  
February 5, 2003

  
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